



**Eric Gonzalez**  
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**DISTRICT ATTORNEY  
KINGS COUNTY**

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**Michelle Park**  
Assistant District Attorney

11/16/2020



In connection with the above-named case, the People voluntarily provide the following information regarding:

**MOS NAME: JOSHUA BIENVENUE**

**MOS TAX: 945511**

in satisfaction (to the extent applicable) of their constitutional, statutory, and ethical obligations. Further, the People reserve the right to move in limine to preclude reference to this information, or otherwise to object to its use and/or introduction into evidence.

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**Disclosure # 1:**

ON OCTOBER 5, 2015, MOS BIENVENUE, SIGNED A SUPPORTING DEPOSITION STATING THAT HE HAD READ THE ACCUSATORY INSTRUMENT IN THE NAMED ACTION, KINGS COUNTY DOCKET NUMBER 2015KN051940, AND THAT THE FACTS THEREIN, WHICH WERE STATED TO HAVE BEEN BASED ON INFORMATION FURNISHED BY HIM, WERE TRUE. THE CRIMINAL COURT COMPLAINT FOR DOCKET NUMBER 2015KN051940, WHICH WAS SIGNED ON AUGUST 10, 2015, BY ANOTHER MOS, AS THE DEPONENT, CHARGED THE DEFENDANT WITH TWO COUNTS OF OPERATING A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS (VTL 1192[1], [3]) AND ONE COUNT OF UNLICENSED OPERATOR (VTL 509[1]). ANOTHER MOS STATED IN THE COMPLAINT THAT HE HAD BEEN INFORMED BY MOS BIENVENUE THAT ON AUGUST 9, 2015, AT APPROXIMATELY 11:10 P.M. AT BOUCK COURT AND SHELL ROAD, BROOKLYN, MOS BIENVENUE HAD OBSERVED THE DEFENDANT DRIVING A NISSAN VEHICLE CRASH INTO A UTILITY POLE. PO PENG STATED THAT HE HAD BEEN FURTHER INFORMED BY MOS BIENVENUE THAT THE SERGEANT HAD OBSERVED THE DEFENDANT EXHIBITING SIGNS OF INTOXICATION AND THAT THE DEFENDANT HAD FAILED TO PRODUCE A VALID DRIVER'S LICENSE WHEN REQUESTED TO DO SO BY THE SERGEANT.

ON OCTOBER 20, 2015, MOS BIENVENUE INFORMED THE ASSISTANT DISTRICT ATTORNEY ASSIGNED TO PRESENT THE CASE TO THE GRAND JURY THAT HE HAD ARRIVED AT THE SCENE AFTER THE CRASH AND HAD NOT SEEN THE DEFENDANT DRIVING THE VEHICLE.

**Disclosure # 2:**

MOS BIENVENUE IS A NAMED DEFENDANT IN THE FOLLOWING CIVIL ACTIONS:

1. MICHAEL HAYDEN V. CITY OF NY, ET AL. 12676/2011, FILED IN KINGS COUNTY SUPREME COURT.
2. HAROLD GIGNAC V. CITY OF NY, ET AL, 14CV07341, FILED IN U.S. DISTRICT COURT, EASTERN DISTRICT OF NEW YORK.

**Disclosure # .3:**

MOS BIENVENUE ENTERED A PLEA OF GUILTY TO THE FOLLOWING DEPARTMENT CHARGES AND SPECIFICATIONS ARISING OUT OF AN INCIDENT ON OR ABOUT 12/16/2009:

1. MOS BIENVENUE, ASSIGNED TO PSA 2, WHILE OFF DUTY, AT A LOCATION IN QUEENS COUNTY, ENGAGED IN A PHYSICAL AND VERBAL ALTERCATION WITH SEVERAL INDIVIDUALS KNOWN TO THE DEPARTMENT.
2. MOS BIENVENUE, ASSIGNED TO PSA 2, WHILE OFF DUTY, AT A LOCATION IN QUEENS COUNTY, FAILED TO REMAIN AT THE SCENE OF AN OFF DUTY PHYSICAL AND VERBAL ALTERCATION WITH PARTIES KNOWN TO THE DEPARTMENT.

3. MOS BIENVENUE, ASSIGNED TO PSA 2, WHILE OFF DUTY, AT A LOCATION IN QUEENS COUNTY, HAVING BEEN INVOLVED IN A POLICE INCIDENT, DID THEREAFTER FAIL TO PROMPTLY REPORT THE FACTS TO HIS COMMANDING OFFICER, AS REQUIRED.

CASE STATUS: CLOSED ON 01/07/2013

PENALTY: FORFEITURE OF FIFTEEN (15) VACATION DAYS.

**THE PEOPLE ARE AWARE OF THE FOLLOWING CCRB SUBSTANTIATED AND OR PENDING ALLEGATIONS AGAINST MOS BIENVENUE:**

**Disclosure # 4:**

CCRB CASE: 201013994

REPORT DATE: 10/13/2010

INCIDENT DATE: 10/08/2010

SUBSTANTIATED CCRB ALLEGATION(S):

1. Abuse - Frisk
2. Abuse - Retaliatory summons
3. Abuse - Search (of person)

DISPOSITION: Substantiated, PENALTY: Instruction

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